

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Carl Anthony Bell

Docket No. 7:02-CR-48-1BR

Petition for Action on Supervised Release

COMES NOW Pamela O. Thornton, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Carl Anthony Bell, who, upon an earlier plea of guilty to Possession of a Firearm by a Felon, 18 U.S.C. §922 (g)(1), Possession with Intent to Distribute Cocaine Base, Phencyclidine and Marijuana, 21 U.S.C. §841 (a)(1), and Use and Carry a Firearm During and in Relation to a Drug Trafficking Crime, 18 U.S.C. §924 (c)(1), was sentenced by the Honorable W. Earl Britt, Senior U.S. District Judge, on January 28, 2003, to the custody of the Bureau of Prisons for a term of 211 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall pay to the United States a total fine of \$9,525, consisting of the following: Count 1, a fine of \$3,175; Count 2, a fine of \$3,175 and Count 3, a fine of \$3,175.

On March 18, 2004, pursuant to a Rule 35 motion for a downward departure, the imprisonment sentence was reduced from 211 months to 105 months.

Carl Anthony Bell was released from custody on February 5, 2010, at which time the term of supervised release commenced.

On January 27, 2011, the court was apprised the releasee had failed to pay his monetary obligation as ordered. The court agreed to take no action at that time and allow the releasee to continue on supervision.

On November 14, 2012, the court was apprised the releasee had used marijuana on October 20, 2012. The court agreed to hold the violation in abeyance and allow the releasee to participate in the surprise urinalysis program.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:**

On November 27, 2012, the releasee submitted a urine specimen which revealed positive results for marijuana. At first, the releasee denied using marijuana. However, he later admitted he had been having marital problems and had smoked marijuana with a friend when stressed. The releasee was admonished and as a sanction for his drug use he agreed to complete 16 hours of community service. This officer also met with the releasee and his wife to discuss available community options to assist them with working through their marital problems.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 16 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Pamela O. Thornton
Pamela O. Thornton
Senior U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
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Executed On: January 9, 2013

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ORDER OF COURT

Considered and ordered this 9 day of January, 2013, and ordered filed and made a part of the records in the above case.



W. Earl Britt
Senior U.S. District Judge